

HOWARD COUNTY
BOARD OF ELECTIONS
FEBRUARY 2001

INTRODUCTION AND SCOPE:

The scope of this audit was to review the existing procedures and observe the operations at the Howard County Board of Elections. This was our first review of this agency which necessitated additional background information gathering to become familiar with the operations. We reviewed the minutes of the past two years, interviewed staff, flowcharted procedures, compared activities with other local election boards and reviewed various State documents that were pertinent to this review.

BACKGROUND:

The State Board of Elections is made up of five members who serve four-year terms and represent both principal political parties. The members are appointed by the Governor. The Board was originally created by an Act of the General Assembly in 1969 as the State Administrative Board of Election Laws (SABEL). Effective January 1, 1999, the name was changed to the State Board of Elections (SBE). Article 33 (Election Code), of the Annotated Code of Maryland, is the Statute that the Board follows. Also, the Code of Maryland Regulations (COMAR), Title 14, Subtitle 02, regulates the Agency.

The Howard County Board of Elections consists of three regular members and two substitute members. They are appointed by the Governor and serve four-year terms. The agency submits its budget to the County and the County fully funds the budget. The employees are State employees, paid by State payroll, and in the State's pension system, but funded by the County. According to the Election Code, Section 2-203, each county is required to appropriate the funds essential for the operation of the local board to pay the necessary and reasonable expenses incurred by the local board to exercise the powers and perform the duties prescribed for it by law. The Board is charged with the responsibility of conducting elections within its respective jurisdiction. The budget for this agency for FY 2001 is \$862,077.

Each local board appoints an election director to manage the operations and supervise the staff of its local board. In September 2000, the board appointed a new director a year and a half following the retirement of the previous director. The position was filled by the assistant director on an interim basis until this hiring. At the time of the previous director's resignation, five of the six employees also resigned. New employees were hired, but experience working with the County's

system was decreased dramatically and mass retraining had to occur to complete daily registration tasks.

The State has increased the salaries of the Howard County employees from 14% for the clerk positions to 30% for the Director's position to bring them more in line with other jurisdictions. The State rational of pay and number of employees coincides with the number of registered voters in the county. Howard County has 141,575 registered voters on their rolls. This method appears to be consistent with the other jurisdictions.

The Howard County Board of Elections prides itself in its relationship with the Howard County Local Government. Primary to their function is the dependence on the County's Information Systems Services Office (ISSO). Some counties are also self sufficient, others are dependent on the State for voter registration data bases, mass mailings, ballot and voter card printings, absentee voter systems, vote counting processing, procurement services and general communication services. A good working relationship has strengthened these ties. The State has developed a software program called the Maryland Local Election Management System (MDLEMS, called LEMS), that is currently being tested in anticipation of statewide implementation by July 2001. Its primary function is to be a statewide voter registration database, thus reducing redundancy and centralizing this information. Much effort and time can be expected from all parties to convert the County's data to the required format and to successfully reconcile to this system.

FINDINGS AND RECOMMENDATIONS:

We examined the rental agreement the Howard County Board of Elections has with the landlord, 8659 Limited Partnership, for Suites L through R inclusive, consisting of 5,750 square feet located at 8659 Baltimore National Pike in Ellicott City, Maryland. This agreement is used for the Board of Elections operations. We looked at the first renewal dated April 18, 2000, which is effective from July 1, 2000 through June 30, 2001. The total rental cost for the year is \$71,530. The County Administration is currently looking at how office space is allocated in the County. We believe that a location in County space should be considered for the Board of Elections that does not require a rental expenditure. Since the County pays the costs, this would, over time, save the County money. Our review found that only two counties in Maryland rented their space, while the other 22 jurisdictions provided space in county buildings. We therefore recommend that:

1. ***The County Administration include the Board of Elections in their immediate and future County-owned office space plans and locations.***

Administration's Response:

The Administration is of the opinion that the Board of Elections should be in a separate location and not included in the space plan for the new county government facilities. Inclusion of the Board of Elections in the county government facilities could create the perception that the Board of Elections is a local government function as opposed to a state government function.

Auditor's Comment:

Since 92% of the other counties in Maryland utilize County-owned office space, the perception that the Board of Elections is a local government function does not appear to be an issue. We believe that space for the Board of Elections should be included in the County's future office space plan.

We observed that backups were being made of the information on the State server and the County server located in one of the suites at the Board of Elections facility. The tapes are ejected from the servers as they become full of data and all employees have been trained to replace the tapes if they notice it being ejected. The replacement tapes are kept next to the server for easy access. However, the purpose of the backup is to safeguard the data from disaster, including fire, and keeping the backup tapes offsite is required to accomplish this. Additionally, one employee is responsible for assembling the daily and monthly reports. An automated spreadsheet is used on this employee's personal drive. These reports are necessary requirements and any interruption of data would have to be remedied. To provide adequate protection of this data, the appropriate files should be backed up from this employee's personal drive and stored offsite from his computer. This is currently not being done. We therefore recommend that:

2. ***The backup tapes that are currently being maintained be kept offsite at a location separate from the server. Also, the files maintained on an individual's computer that contain the daily and monthly report data have backups periodically and be stored offsite.***

Administration's Response:

The State and County servers and personal computers located at the Board of Elections Office are backed up by staff of the Board and storage of the backup media is managed by that office.

However, the Information Systems Office has offered and will provide off-site storage for backup media for the Board of Elections as requested.

The Howard County Board of Elections currently uses a ballot voting system called the Optech II. The County owns about 115 of these machines for the County's 85 polling locations. This system has been used in the County for about twelve years and newer technologies, such as touch screen, are now available. The County purchased these machines and their residual value is not a material amount. The County is looking at new systems, however, the current one was used for the General Election in November 2000. This will most likely be the last election with these machines. We noted that the 2002 Capital request is for \$3,000,000 for obtaining a new system. We were told that the lease or the purchase has yet to be decided and will be determined pursuant to the RFP results. We were also advised that both the Executive and Legislative branch of Howard County Government will be invited to give their input to the various equipment that will be demonstrated.

We believe it may be a better fiscal and technological decision to lease the next generation of voting machines. This appears to be a less expensive outlay than a purchase, and does not obligate the county to holding on to a technology that may be waning. The State must certify each machine model before it can be used in State elections. We were told that this process takes some time with that it may reduce the benefit of leasing for technology upgrades reasons. We believe that this should be addressed with the State.

Also, with the proliferation of the Internet, we foresee the use of Internet voting in the not too distance future. While there are security concerns at this early stage, any further planning should include this inevitable methodology in its future. We therefore recommend that:

3. **For the next system of voting machines chosen to be used in Howard County, consideration be given to leasing the units to better maintain, deliver and keep current the technology required to be accurate and user friendly. Additional consideration be given to incorporating Internet technology as an alternative and additional voting type as this technology matures.**

Administration's Response:

The State Board of Elections is evaluating voting systems and procedures and may issue recommendations and requirements for these systems. Depending on the type of voting system and procurement authorized by the State and selected by the County

Board of Elections, leasing in lieu of purchase would be an appropriate consideration. Internet voting is in an early stage of study and development at present and initial results indicate the further technological development is needed before widespread implementation. While it is too early to predict the future of Internet voting for Howard County, the technique deserves attention as the County modernizes its balloting technology.

When the previous director retired from the Board of Elections in 1998, all but two of the employees also resigned. Therefore, a new staff of employees, some with no election experience, were operating the Board of Elections office. Because of the limited training time for the various processes, each employee specialized to get the work completed. We would advise cross training all employees in tasks of the various processes. This would better serve the election process by giving a greater depth to the Board of Elections staff. We were given an extensive procedures manual that was primarily thorough and up-to-date, however, there was only one copy available. A copy should be given to each employee and training arranged for the employees. As procedures change, these manuals should be revised to reflect current activity. We therefore recommend:

4. *Training for each employee include at least two major processes so that dependency on one individual is lessened.*

Administration's Response:

Each employee will be trained to perform two major processes to lessen dependency on one individual.

5. *Copies of the procedure policy manual be distributed to all employees.*

Administration's Response:

All employees will receive copies of the procedure policy manual.

We interviewed each employee to determine their job function. We found that one employee was responsible for street and map entries. This is generally tied to new building developments and assignment of the proper election district and voting precinct of the registrant. The Geographic Information System Office (GIS) has many resources available that could enhance this task that is available online and through the established users group. We believe that at least this employee should become part of the GIS users group and that the Director establish a meeting with GIS

administration to better determine what resources are available for their applications. Training for all elections employees, could assist in cross training and establishing new ideas. We therefore recommend:

6. **The Board of Elections Administration make arrangements for the mapping employee and other employees, to join the GIS users group and attend their meetings. We further recommend the use of GIS software and guidance from the GIS office to assist in mapping and addressing issues in Elections.**

Administration's Response:

This issue has already been addressed. Election districts and precincts as well as street and parcel addresses are available in County Geographic Information Systems (GIS). GIS staff has met with Elections personnel to provide software and will be glad to discuss further assistance that can be provided, particularly in the redistricting process. In addition Elections staff are invited to participate in GIS user group meetings.

We were told that the Director of the Board of Elections does not have access to the online financial system, Advantage Financial System (AFIN). This need is predicated on monitoring timely postings of revenues and expenditures. These are required to be reported monthly to the Board. This resource could also be useful for budgeting future years' activities. We therefore recommend that:

7. **The Director of the Board of Elections be given online AFIN access by the County's Department of Technology and Communication Services so that the revenues and expenditures can be more closely monitored and accurately reported as required.**

Administration's Response:

This issue has already been addressed. For some time now personal computers at the Board of Elections have had existing network access to the County's financial system, the Advantage System from American Management System, Inc. The Board of Elections users have requested rights to access the system from the Department of Finance which controls financial system security.

With the advent of redistricting, LEMS, and newer voting machines, the current Elections Administration has expressed concerns that the County's resources are going to be increasingly needed particularly from ISSO. Elections has also identified the expected need for a technical

employee within their organization due to the advances in technology and the dependency upon technology to be running consistently, timely and accurately. We concur that these events should be monitored and appropriate resources be applied as needed, and as identified by State and County authorities.

KZ:sd-ELECT1.wpd